SB Civil Writ. Petition No.5217/2005

Date of Order: **24th July, 2006.**

PRESENT

HON'BLE MR.JUSTICE BHAGWATI PRASAD

Mr. V.K.Sharma for the petitioner/s.
Mr. O.P.Boob, G.A. for the respondent/s.

Heard.

This is on record that exchange which was the subject matter of consideration was sanctioned by the Tehsildar, who admittedly had no right of sanctioning the exchange. Apart from this illegality the exchange of consent was result of a fraud wherein instead of the right man a wrong person was set up to give consent on behalf of Dungar Nath. Since Hazari Nath had set up somebody else than Dungar Nath this sequence show that the intention of Hazari Nath was not bona fide. A fraud having been perpetrated , that vitiates everything. In that view of the matter, no interference is called for. The writ petition is dismissed.

(BHAGWATI PRASAD), J.

L.George